

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MERCEDES LIRIANO, et al.,

Plaintiffs,

-v-

NEW YORK CITY DEPARTMENT OF EDUCATION
and PATRICIA CATANIA, jointly and severally,

Defendants.

CIVIL ACTION NO.: 19 Civ. 11245 (LGS) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

Pursuant to the discovery conference held today, July 29, 2021, the Court orders as follows:

1. The Court adopts the Joint ESI Protocol between Plaintiffs and Defendant New York City Department of Education ("DOE") by separate Order.
2. Plaintiffs' Proposed ESI Protocol as to Defendant Catania ("Plaintiff's Proposal" (ECF No. 171-1)) contains 93 search terms. By **Tuesday, August 3, 2021 at 12:00 pm**, Plaintiffs shall file an amended list with less than 70 search terms.
3. By **Thursday, August 12, 2021**, Plaintiffs shall file a letter that specifies, for each Plaintiff: (i) the devices and/or accounts were searched; (ii) the manner of the search(es); (iii) the associated documents or data produced in the search(es); and (iv) several examples, with Bates numbers, of documents or data that were produced ("Plaintiffs' ESI Letter").
4. Defendant Patricia Catania's counsel, Anthony Gentile, shall further investigate her "Qualified Discovery Response" (ECF No. 171-9) to Plaintiffs' Document Request No. 124, which called for "[t]he number, and description of, personal electronic devices and personal email accounts and social media accounts used by Defendant Catania . . ." (See

ECF No. 94). In particular, Defendant Catania shall investigate the discrepancy between the devices and accounts identified in her Qualified Discovery Response with those identified by her prior counsel. (Compare ECF No. 171-9 with ECF No. 171-8).

5. Defendant Catania's counsel shall review Catania's Proposed ESI Protocol as to all Plaintiffs ("Catania's Proposal" (ECF No. 169-2)) and be prepared to discuss the nexus between the documents or data sought by Catania's Proposal and Catania's discovery demands.
6. Plaintiffs' deadline to respond to Defendant Catania's June 30, 2021 discovery demands shall be held in abeyance until after the Court enters an ESI Protocol between Plaintiffs and Catania.
7. The Court will schedule a further Telephone Conference on **Wednesday, August 4, 2021 at 10:00 am** on the Court's conference line. The parties are directed to call: (866) 390-1828; access code: 380-9799, at the scheduled time.

Dated: New York, New York
July 29, 2021

SO ORDERED.


SARAH L. CAVE
United States Magistrate Judge